

AN
ORDINANCE
of the
CITY OF
MINNEAPOLIS

By

Zerby

Amending Title 14, Chapter 366 relating to Beer Licenses.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 366.110(a) of the above-entitled ordinance be amended to read as follows:

366.110. Application forms and procedures. (a) Every application for a license to sell beer, including applications for renewal of existing licenses or changes in ownership or expansion of premises, shall be made only upon forms furnished by the department of licenses and consumer services and, when completed by the applicant, shall be filed by the same department and a record of the same made therein. An application for a change in ownership or expansion of an "on sale" premises shall be accompanied by a nonrefundable five-hundred-dollar (\$500.00) investigation fee. A licensee holding an "off sale" beer license shall not be required to make application for an expansion of premises. Notwithstanding the above-stated requirements, a licensee which is a publicly held corporation or a wholly owned subsidiary of a publicly held corporation need not file an application nor pay an investigation fee for changes in shareholders of the publicly held corporations nor changes in officers of either the publicly held corporation or the wholly owned subsidiary. An application and investigation fee must be submitted for changes in shareholders of the wholly owned subsidiary corporation and/or changes in managers. An application and investigation fee must be submitted for a change in manager when the licensee is a nonresident individual.

The application for an "on sale" beer license shall then be referred by the department of licenses and consumer services to the license inspector of the police department, ~~who shall make a record thereof, except that if such application is for renewal of an "on sale" beer license, the applicant, upon having completed the same, shall present such application to the license inspector of the police department,~~ who upon having completed investigation thereof, shall direct

the same to the department of licenses and consumer services. The application for a new "off sale" beer license or for the renewal of an "off sale" beer license shall be recorded and investigated by the department of licenses and consumer services. ~~The prescribed form for all applications shall provide lines for the approval or disapproval of the council member of the ward embracing the location of such proposed business. The council member of such ward who has not approved the issuance of any "on sale" license in writing thereon prior to the filing thereof shall be notified by the department of licenses and consumer services of the pendency of such application.~~

Section 2. That Section 366.130 of the above-entitled ordinance be amended by adding thereto a new subdivision (l) to read as follows:

366.130. Contents of application.

(l) Evidence that notification of the application has been mailed or delivered to the ward council member, the neighborhood group(s), and the business association(s), if any, for the area in which the premises is located. The neighborhood group(s) and the business association(s) to be notified are those organizations that appear on a list maintained by the planning department for this purpose. The notification shall include the following information: the type of license applied for; the address of the premises for which the license is sought; the applicant's name, address and telephone number; and the type of entertainment, if any, that the applicant intends to conduct on the premises.

Section 3. That Section 366.150 of the above-entitled ordinance be amended to read as follows:

366.150. Investigation of application. The police license inspector shall investigate into the truthfulness of the statements set forth in all "on sale" beer applications, and into any other matters he or she considers relevant to the application, and shall endorse the findings thereof. All "off sale" beer applications shall be investigated by the department of licenses and consumer services. The applicant shall furnish to the proper investigator such evidence as the investigator may reasonably require in support of the statements set forth in said application. Upon completion of the report, the application shall be filed with the department of licenses and consumer services.

Section 4. That Section 366.170 of the above-entitled ordinance be and is hereby repealed:

~~**366.170. When application to be published.** If the application shall be for a new "on sale" license, or for the transfer of an existing "on sale" license to a new location, or for the transfer of ownership at the old location, the office of the department of licenses and consumer services, upon receiving the same, shall cause said application to be published forthwith once each week for two (2) successive weeks, and no such license shall be granted unless the application therefor shall have been so published. This requirement shall not apply to temporary "on sale" beer licenses.~~

Section 5. That Section 366.180 of the above-entitled ordinance be amended to read as follows:

366.180. Hearings on applications. If the application shall be for a new "on sale" license under this chapter, including a new Class A through Class D license for premises which have not previously been licensed for music, dancing or live entertainment, or for a change in the location of an existing "on sale" license, or for a transfer of the ownership of an existing "on sale" license at the old location, such application shall be read by the city clerk at the next regular meeting of the city council and shall then be referred to the appropriate committee of the city council. ~~In case of an application for a new Class A through Class D beer license for premises which have not previously been licensed for music, dancing or live entertainment, t~~The department of licenses and consumer services shall notify by mail all residents, to the extent such notice is feasible, and property owners within two hundred (200)six hundred (600) feet of the main entrance of the proposed establishment, except that where the application is for a license within a B-4 zoned district, or in the downtown or east bank commercial districts described in section 362.430, the department shall only be required to notify all residents and property owners within three hundred (300) feet of the main entrance of the proposed establishment, said notice going to the owners of record in the office of the county auditor of the time and place at which such application shall be considered by committee. The director shall also notify the appropriate neighborhood group(s) and business associations(s) of the time and place of the hearing. The director of the licenses and consumer services department shall assess and the applicant shall remit to the Minneapolis Finance Department prior to public notification, all specific expenses incurred by the city, including those from identification of the property residents and owners, production of the notice, interdepartmental processing fees, and postage costs. The licenses and consumer services committee shall conduct no hearings thereon until two (2) weeks' published

~~notice of the pendency of said application provided for shall have expired, nor until the license inspector's report shall have been presented to the committee.~~ The first hearing on said application shall be held at the time and place regularly fixed for the meeting of the committee, but succeeding hearings may be had at any special or regular meeting thereof. ~~Where any such "on sale" application is not approved by the council member of the ward affected by said application,~~ †The chair of the committee shall cause such the council member of the ward affected by said application to be notified of the time and place when the committee will consider said application, and such application shall not be disposed of by the committee until the same shall have been brought before and considered by the committee at two (2) regular meetings thereof. The final action of the committee upon any application referred to in this chapter shall be reported to the city council and by it considered and acted upon according to law.